

1 B. Pierce - by Mr. Eddy  
2 related to you; right?

3 A. Correct.

4 Q. You were, what? You participated  
5 somehow on his case against Albion?

6 A. Correct.

7 Q. Do you remember what that case was  
8 about?

9 A. It was about gender discrimination  
10 and retaliation.

11 Q. And Mr. Sanders is your attorney now  
12 I think has indicated that he represented  
13 Mr. White in that case?

14 A. That's correct.

15 Q. Do you remember what the result was  
16 in that case? Do you know?

17 A. I believe the end result was that  
18 the state won that case.

19 Q. What was your role? What did you do  
20 for Mr. White?

21 A. I testified on his behalf.

22 Q. At what level?

23 A. I'm not sure I understand the  
24 question.

25 Q. In a --

1 B. Pierce - by Mr. Eddy

2 MR. SANDERS: How many times  
3 did you --

4 Q. In a court of law, administratively?

5 A. Both.

6 Q. Where?

7 A. Both. During the investigation of  
8 the Complaints, alleged charges against him, I  
9 was brought in and interviewed by one of the  
10 senior corrections staff, one of the deputies  
11 or one of the security captains.

12 They took statements from me, and I  
13 let them know at that time that what had  
14 happened with him was flat out wrong. I was  
15 there, I personally witnessed, so on and so  
16 forth. When I went to trial, then I was there  
17 in the jury boxes, or in the -- what do they  
18 call that?

19 MR. SANDERS: Witness.

20 A. Witness box. Witness stand.

21 Q. Do you know who terminated  
22 Mr. White?

23 A. Who officially signed off on the  
24 document?

25 Q. Yes.

1 B. Pierce - by Mr. Eddy

2 A. No, I don't.

3 Q. Do you think it was Marilyn Brooks?

4 A. She had a lot to do with it, yes.

5 Q. Do you have any sort of criminal  
6 record, Brian?

7 A. I'm not sure I understand what you  
8 are asking.

9 Q. Do you have a criminal record?

10 A. In regards to?

11 Q. Have you ever been convicted of any  
12 crime?

13 A. Outside of speeding, no.

14 Q. I wouldn't consider that criminal.

15 A. The only reason why I say that is  
16 because on my application, I checked no. They  
17 saw I had a speeding ticket, and they are like,  
18 ooh, you know, you should have said yes.

19 Q. In some jurisdictions they call that  
20 quasicriminal, but I don't think Neal or I  
21 would have an issue with somebody saying no to  
22 that.

23 Never been arrested for anything  
24 else?

25 A. Never.

1 B. Pierce - by Mr. Eddy

2 Q. No DUIs?

3 A. Never.

4 Q. Anything like that? You are  
5 currently married; right?

6 A. Yes.

7 Q. Have you ever been married before  
8 Julia?

9 A. No.

10 Q. Did she have any children of her own  
11 before you got married?

12 A. No.

13 Q. Have you discussed this case with  
14 anybody other than your attorney?

15 A. My spouse. My psychiatrist.

16 Q. Okay. Anybody else?

17 A. My pastor.

18 Q. Okay.

19 A. That's it.

20 Q. At a church?

21 A. In his office in a confidential  
22 setting.

23 Q. So Mr. Sanders, your wife, your  
24 pastor, and who is your pastor?

25 A. David Janz.

1 B. Pierce - by Mr. Eddy

2 Q. Does your wife have an issue with  
3 you doing that?

4 A. No.

5 Q. On a number of occasions you've told  
6 me, or at least there's been statements that  
7 other nurses, other LPNs, other staff people do  
8 things that you've been accused of doing;  
9 right?

10 A. Yes.

11 Q. Are you willing to give me some  
12 names of persons that you claim prepoured meds,  
13 did any of the things that you were accused of  
14 that you --

15 A. Yes.

16 Q. -- said the staff did?

17 A. Yes, I will.

18 Q. Go ahead.

19 A. Yvonne McGuire, Cheryl Heffern.

20 Q. What did Yvonne McGuire do?

21 A. She prepoured medication, she made  
22 transcription errors.

23 Q. When did she prepour meds?

24 A. Frequently.

25 Q. Can you give me a specific example?

1 B. Pierce - by Mr. Eddy

2 A. For the medication lines. I'm not  
3 quite sure what you are looking for.

4 Q. When?

5 A. During my tenure at SCI-Cambridge  
6 Springs.

7 Q. But you can't recall any specific  
8 time or date?

9 A. I can't recall an exact date and  
10 time, no, at this time.

11 Q. Or whether or not it was witnessed  
12 by anybody else or by whom it may have been  
13 witnessed? Other than yourself, did you  
14 personally observe this or --

15 A. I personally --

16 Q. -- did you hear about it?

17 A. No. I personally observed her doing  
18 it and other staff had also personally observed  
19 her doing it.

20 Q. Did you write up an incident report  
21 on her?

22 A. Yes, I did.

23 Q. Anybody else? You said -- hold on.  
24 You said transcription errors. Did you write  
25 up an incident report on that?

1 B. Pierce - by Mr. Eddy

2 A. Yes, I did.

3 Q. Anybody else?

4 A. Cheryl Heffern, H-E-F-F-E-R-N.

5 Q. All right. What did she do?

6 A. She was prepouring medications on  
7 the evening shift during my tenure at  
8 SCI-Cambridge Springs. She would take  
9 medications to the RHU in the manner and  
10 fashion that it was alleged that I did.

11 Q. Meaning in a bag or in cups in your  
12 pocket?

13 A. Correct. Outside of the prescribed  
14 policy.

15 Q. Okay. Any specific times or dates  
16 there?

17 A. Regular basis.

18 Q. A regular basis?

19 A. Regular basis. It was a common  
20 practice.

21 Q. If it was common practice, then you  
22 should have other persons that would have seen  
23 it, also?

24 A. Yes.

25 Q. Who would that be?

1 B. Pierce - by Mr. Eddy

2 A. Sandy Pietrzak, who verbally  
3 chastised Cheryl Heffern for taking those  
4 medications improperly to the RHU.

5 Q. So she did get at least a verbal  
6 reprimand?

7 A. No. It was more of a tongue lashing  
8 in the hallway.

9 Q. How do you distinguish that from a  
10 verbal reprimand?

11 A. Verbal reprimands are transcribed on  
12 a piece of paper and put into the file as a  
13 verbal reprimand. This never occurred.

14 Q. You are saying she never got a piece  
15 of paper to put in the file?

16 A. Correct.

17 Q. Anybody else?

18 A. Sandy Pietrzak prepouring  
19 medications, borrowing stock medications,  
20 borrowing medications from other inmates, which  
21 also happened with the other two nurses that I  
22 aforementioned.

23 Q. Any incident reports on her?

24 A. Yes.

25 Q. If you filled out incident reports



1 B. Pierce - by Mr. Sanders

2 BY MR. SANDERS:

3 Q. Who was your Health Care  
4 Administrator when you were terminated as  
5 opposed to the prior year?

6 A. Nancy Giroux.

7 Q. Are you accusing Nancy Giroux as  
8 being part of the conspiracy to discriminate  
9 against you?

10 A. Yes, I am.

11 Q. You did not quit employment with the  
12 department, you were terminated; is that  
13 correct?

14 A. That's correct.

15 Q. Now, you testified in this case that  
16 in deposition here earlier today that you had  
17 come to the aid of a male nurse by the name of  
18 Michael White; correct?

19 A. That's correct.

20 Q. All right. A number of times  
21 Attorney Eddy has asked you about whether you  
22 have any relationship with Michael White. The  
23 relationship is not between you and Michael  
24 White, it's between Michael White and Dominic  
25 White; isn't it?

1 B. Pierce - by Mr. Sanders

2 A. That's correct.

3 Q. Dominic White was related to Michael  
4 White; isn't he?

5 A. Yes. He was a cousin.

6 Q. All right. Is Dominic White not the  
7 individual who EEOC had assigned to investigate  
8 some of the allegations against you?

9 A. Yes.

10 Q. Now, at some point, you let Michael  
11 White know that you wanted to testify on his  
12 behalf; is that correct?

13 A. Yes.

14 Q. All right. Let me show you this  
15 exhibit, apparently Exhibit 9 from a prior  
16 deposition. If not, we will identify it as the  
17 Rule 26 disclosure list that I filed in the  
18 Michael White case in the month of March of  
19 2001.

20 Do you see this in front of you?

21 A. Yes, I do.

22 Q. All right. The attorney at that  
23 time, Tom Eddy's colleague, Tom Halloran was  
24 the attorney that was representing the state in  
25 that case; is that clear from this document?

1 B. Pierce - by Mr. Sanders

2 A. Yes.

3 Q. All right. Now, are you listed in  
4 this document anywhere as a witness?

5 A. Yes, I am.

6 Q. What number?

7 A. Number four.

8 Q. And how many days after March 15 of  
9 '01 did you get notified that you were  
10 receiving suspension discipline for what you  
11 were alleged to have done at Albion in  
12 September of 2000?

13 A. About four days.

14 Q. All right. Now, you told Mr. Eddy  
15 that you had written up a number of your  
16 colleagues, your female colleagues, when you  
17 were at Cambridge Springs; is that correct?

18 A. That's correct.

19 Q. All right. Let me do this this way  
20 so it's more official. I'm going to show you  
21 the transcript of Nancy Giroux's testimony, and  
22 during that deposition, she was shown a certain  
23 amount of exhibits.

24 Exhibit 2 from Nancy Giroux's  
25 deposition, is this a document that you are

1 B. Pierce - by Mr. Eddy

2 A. Yes, I did.

3 Q. I would ask that they be produced?

4 A. It's in --

5 Q. You don't have to do it right now.

6 I would ask that those be produced. If you  
7 want to save time here, I would ask that you  
8 produce any other statements relating to any of  
9 these claims that other persons engaged in this  
10 conduct that were filed at the time.

11 A. Yes.

12 Q. Not a list later submitted at or  
13 around your termination.

14 MR. SANDERS: We heard the  
15 question. We have them. We will produce them.

16 MR. EDDY: I want to make sure  
17 you understand.

18 MR. SANDERS: Okay.

19 BY MR. EDDY:

20 Q. You were shown a document that was a  
21 Rule 26 disclosure in the Michael White case.  
22 I think your attorney pointed out that you were  
23 listed as a witness. I don't have that  
24 document. Can I see it for a second?

25 MR. SANDERS: Sure. Exhibit 9

1 B. Pierce - by Mr. Eddy  
2 to the Giroux deposition.

3 Q. For the record, this document is  
4 dated March 15 of 2001. Brian Pierce is listed  
5 as witness number four. That really doesn't  
6 tell us when you in fact testified on behalf of  
7 Mr. White. When was that?

8 A. When was the jury trial?

9 MR. SANDERS: You testified  
10 twice. You already told him about both times.  
11 One was the summer of 2000 and the other one  
12 was the trial in September of 2002.

13 THE WITNESS: Yes.

14 BY MR. EDDY:

15 Q. Well, September of 2000, this is  
16 dated March 15 of 2001, so you couldn't  
17 possibly be relying on this document as some  
18 notice of your participation for retaliatory  
19 purposes; right?

20 A. Yes, I can, because --

21 Q. Oh, you can?

22 A. Yes. By the time I transferred over  
23 to Cambridge Springs, this document had come  
24 out. I did not know about this.

25 Q. You are saying if you testified for

1 B. Pierce - by Mr. Eddy

2 Michael White in the year 2000, that a document  
3 dated March 15, 2001, could serve as notice to  
4 somebody to retaliate against you?

5 A. Yes.

6 Q. You mentioned that Marilyn Brooks  
7 never discussed with you your EEOC Complaint  
8 that you filed; correct?

9 A. Correct.

10 Q. How do you know that? I'm sorry,  
11 that you never -- you also said that she didn't  
12 talk to anybody about it. How do you know  
13 that?

14 A. If she had spoken to anybody about  
15 it, that Complaint would have been validated  
16 and sent forward.

17 Q. That's your logic? Because it  
18 wasn't validated, therefore, she never talked  
19 to anybody; is that what you are saying?

20 MR. SANDERS: She admitted  
21 that in the deposition.

22 MR. EDDY: I'm asking your  
23 client.

24 MR. SANDERS: Oh.

25 Q. Is that the way you figured that

1 B. Pierce - by Mr. Sanders  
2 them. It was just joining in that  
3 conversation.

4 Q. So did they know by March 15 of '01  
5 about your helping Mike White?

6 A. Oh, yes.

7 Q. Now, Marilyn Brooks didn't come onto  
8 the scene at Cambridge Springs until September  
9 of '01?

10 A. Correct.

11 Q. Prior to that, she testified that  
12 she had been the Superintendent at --

13 MR. EDDY: I object on the  
14 leading questions. You are going to have to  
15 ask him questions. I'm not going to let you  
16 put words in his mouth.

17 BY MR. SANDERS:

18 Q. Prior to September of '01, you had  
19 had a history with Marilyn Brooks, or not?

20 A. Yes.

21 Q. Does that date back to Albion?

22 A. Yes, it does.

23 Q. Now, from what I can see from the  
24 record they have established regarding your  
25 case, you did not have any episodes of any

1 B. Pierce - by Mr. Sanders  
2 disciplinary actions brought against you  
3 between '95 when you left off with Brooks at  
4 Albion and the September 2000 incident; is that  
5 correct?

6 A. That's correct.

7 Q. So in that five and a half years,  
8 had there been any times when you were written  
9 up or disciplined either at Albion or -- at  
10 Albion?

11 A. No.

12 Q. All right. The last time you were  
13 written up at Albion was September 2000?

14 A. That's correct.

15 Q. Then you were written up a number of  
16 times we've discussed at Cambridge Springs?

17 A. Yes.

18 Q. All right. Had you worked at any  
19 other DOC facility other than Albion and  
20 Cambridge Springs?

21 A. No.

22 MR. SANDERS: That's all I  
23 have.

24 MR. EDDY: That's all.

25 MR. SANDERS: We will read



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**EXHIBIT E**

## EQUAL EMPLOYMENT OPPORTUNITY DISCRIMINATION COMPLAINT

OCT 26 2001

COMMONWEALTH OF PENNSYLVANIA  
STD-444 REV. 3/97PERSONNEL  
SS-02Equal Employment Opportunity  
DISCRIMINATION COMPLAINT

DOCKET NO. 2001-04

The information on this form should be completed for all alleged discrimination and sexual harassment complaints. The completed complaint form should be signed by the complainant. Upon completion, please forward to the Equal Opportunity Manager/Specialist or the individual responsible for EEO in your agency.

DEPARTMENT NAME AND ADDRESS  
SCI - Cambridge Springs  
451 Fullerton Ave.  
Cambridge Springs, PA 16403

1. COMPLAINANT'S NAME

BRIAN PIERCE

HOME TELEPHONE NO.

(814) 398-2574

2. ARE YOU CURRENTLY EMPLOYED BY THE ABOVE DEPARTMENT?

☒ YES ☐ NO

HOME ADDRESS

313 S. Main St. Cambridge Springs PA 16403

3. PRESENT JOB TITLE

LPN

STATUS

Permanent Full Time

WORK UNIT

Medicine

LOCATION

SCI-CBS

WORK TELEPHONE NO.

(814) 398-5549

LENGTH OF SERVICE IN CLASSIFICATION

7 years

4. DATE OF THE ALLEGED DISCRIMINATORY PRACTICE

10-15-01

5. BASIS OF THE ALLEGED DISCRIMINATORY PRACTICE

- ☐ RACE ☐ AGE  
☐ SEX ☐ DISABILITY  
☐ NATIONAL ORIGIN ☒ RETALIATION  
☐ ANCESTRY ☒ OTHER (SPECIFY)  
☐ RELIGION ☒ Hostile Working Environment

6. THE DISCRIMINATION OCCURRED IN CONNECTION WITH

- ☐ INTERVIEW ☐ DISCIPLINARY ACTION  
☐ HIRING SELECTION ☐ COMPENSATION  
☐ PROMOTION ☐ TRAINING OPPORTUNITY  
☐ LAYOFF ☒ OTHER (SPECIFY)  
☐ TRANSFER ☒ N/A

7. THE FACTS OF THE ALLEGED DISCRIMINATORY EMPLOYMENT PRACTICE ARE:

- See Attached -

S. Pietrzak and I have had numerous confrontations in the last 9 months in regards to my wanting to change a few policies and procedures in order to help make the department more efficient. She has also stated her distaste for my ability to take the initiative without requiring her guidance or direction. As a result of those confrontations, this incident occurred. During the 15 OCT incident, other staff members took the initiative to begin mobilizing the department for the drill, and they were not berated in front of their peers, or inmates for their forethought, I was. I later found out that PA Styburski witnessed the initial outburst by Ms. Pietrzak, and that Inmate Strawbridge of 8326 was in her wheelchair in the hall outside the door when Ms. Pietrzak first addressed me.

(OVER)

EXHIBIT

EXHIBIT

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

On 10-15-01 I entered the institution at about 1:50pm. I saw inmates going back to their housing units and I was told that there was a drill going on. As I got to building 3, PA Styborski met me on the walk and told me about the drill going on. I entered building 3 and into medical at about 1:55pm and all the staff were talking about the drill. I talked briefly with Y. McGuire LPN about a few issues and then went into the pharmacy to count with P. Smith. After we finished counting, Y. McGuire and I exited medical and went on the walk in front of building 3. SGT. DeCoursey was coming down the walk from building 1. Y. McGuire asked if she knew what was going on. SGT. DeCoursey said she did and that she had "found out by accident." I followed SGT. DeCoursey in building 3 and I asked her if she knew how long the drill was going to last. She told me that she did not know. I asked her if she knew if we were going to have to pass medications on the housing units. She said she didn't know. I said that we would need to know as soon as possible because it might take an hour to prepare to do that. She then radioed Lt. Wadel + he called her back on the phone. She related the information to him and she told me that he would have to find out.

10-16-01

Date

Breen [Signature]  
Signature

Date

Typist's Signature

NOTE: This form is to be completed and signed by an employee who is a witness to an incident involving the employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, the party typing the statement must sign and date the document.

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

I then went into medical and was talking to M. Kelly RN and T. Zuber RN. A few minutes passed and the building 3 officer came to us and told us that Lt. Wadel told him to tell us that we were to prepare to pass meds on the housing units. I went and told S. Pietrzak about what Lt. Wadel had said. She then began to organize the stuff and had S. Cooper RN try to get a list of inmates by housing unit. M. Kelly, T. Zuber and I went into the medication room and began to prepare the medication pass. I asked S. Pietrzak RN what meds needed to be passed out. She told me "All of them." I told her that I had been told that only life-sustaining meds needed to go. She then called C. Massung CH for confirmation and we were directed to give only life sustaining meds and Antibiotics. I passed this information along to M. Kelly, T. Zuber and we completed our assigned tasks.

10-16-01

Date

Date

Brian Plaz

Signature

Typist's Signature

NOTE: This form is to be completed and signed by an employee who is a witness to an incident involving the employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, the party typing the statement must sign and date the document.

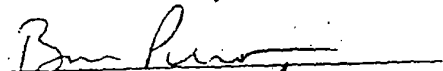
## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

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Not long after we had prepared to pass medications on the units, SGT. Decar entered medical and went into the room where S. Pietrzak was sitting. A few minutes later SGT. Decar came out of the room with S. Pietrzak right behind her. At that time, in the presence of SGT. Decar, M. Kelly, and T. Zuber, S. Pietrzak used a loud, hostile and demeaning tone and language to belittle me in front of my peers. She then went to C. Massung's office. T. Zuber came to me and asked "What was that all about?" About 5 minutes later S. Pietrzak re-entered the nurse's station and began to harass me again in the presence of staff. At that time I told her that if she had a problem with me, she needed to address it to me in private or in C. Massung's office and that I did not appreciate the demeaning way I had been treated earlier as well as now. She agreed to go to C. Massung's office, but C. Massung arrived in the nurse's station. S. Pietrzak then took an aggressive posture and began to "stare me down" with a hateful, angry stare. She then began to belittle me in the presence of my employer. We both began to exchange words in a loud manner.

10-16-01

Date



Signature

Date

Typist's Signature

NOTE: This form is to be completed and signed by an employee who is a witness to an incident involving the employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, the party typing the statement must sign and date the document.

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

● C. MASSUNG stood by and observed, but did not intervene. At one point she walked away from us and entered S. Cooper's office. S. Pietrzak and I continued to exchange words, and as I was trying to explain what had happened to her, she began yelling "stop pointing at me!" "I consider that a threat!" At which point C. MASSUNG came out and S. Pietrzak asked her "Did you see that? He threatened me!" C. MASSUNG covered her eyes and stated "I didn't see anything. I have a bad headache." At which point S. Pietrzak began verbally attacking me and my character. C. MASSUNG then said we needed to go to her office. We agreed, and began to go to her office. S. Pietrzak stopped and said she was going to bring someone in with her. I stated that I wanted union representation as well, and since no one was on site at that time, we would have to wait and do it another day. At that, S. Pietrzak became angry and went into medical.

10-16-01

Date

Brian Prew

Signature

                      
Date

                      
Typist's Signature

NOTE: This form is to be completed and signed by an employee who is a witness to an incident involving the employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, the party typing the statement must sign and date the document.

## COMMONWEALTH EMPLOYE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

I was so shaken by the confrontation, that I had fear of retaliation and the possibility of having insubordination charges put on me by S. Pietrzak. I stayed, that I went to C. Massung and told her that I was leaving. S. Cooper was in the room for the conversation and was a witness to the following. I told C. Massung that "I am afraid of retaliation by Sandy, and that I can't work in this hostile environment." I told her that I was very upset and stressed out by what happened and that I did not appreciate being treated like that by S. Pietrzak, especially in front of my peers. C. Massung asked when I would like to have the meeting to resolve the issues, and I said tomorrow (10-16-01). She told me that she was not going to be here, and I said, "Then how about Wednesday?" She told me that she was going to be out all week and she wanted it to be handled by the Deputy. I told her that I would like to "keep it in-house" if possible and try to resolve it first. C. Massung then said "well who's going to make the decision? who's going to handle this?" I simply said to her "you." She then told me that she will be back on Monday and we could do it then.

10-16-01

Date

Signature

Date

Typist's Signature

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## COMMONWEALTH EMPLOYE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

I said that that would be fine. C. Massung told me that she was not sure I could take sick time for this, but that she would call personnel to clarify. S. Cooper told me that I should count off with someone before I left, so I did. While I, Zuber and I were counting, C. Massung told me that I could go, but I needed a doctor's excuse to justify my leaving. I told her that it was no problem and then thanked her.

Shortly after that I left the institution at 4:45 pm.

*nothing else follows.*

10-16-01

Date

*[Signature]*

Signature

Date

Typist's Signature

NOTE: This form is to be completed and signed by an employee who is a witness to an incident involving the employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, the party typing the statement must sign and date the document.



## COMMONWEALTH EMPLOYE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

10-16-01 I came into work. upon entering medical, I was told by P. Smith RN and A. Chapman RN that the night shift nurse L. Mallard had told them in shift report that S. Pietrzak and I had an argument and that I walked off property. They told me that I WAS "backmouthed" by S. Pietrzak on shift change with L. Mallard.

Later on, S. Cooper called me into her office and told me that S. Pietrzak was telling as many stuff as she could "a very slanted" side of the picture and that she was making it look like she did nothing wrong. Also, S. Cooper told me that C. MASSUNG had come in to her office this morning and was saying terrible things about me and that I was a "cold, calculating individual" and it was part of his Agenda. S. Cooper also observed C. MASSUNG talk to several of the staff on 10-15-01 and 10-16-01 about this incident. I feel this only further encourages a hostile working environment and that by making slanderous comments about me to other staff my peers is wrong.

10-16-01

Date

Signature

Date

Typist's Signature

NOTE: This form is to be completed and signed by an employee who is a witness to an incident involving the employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, the party typing the statement must sign and date the document.

**EXHIBIT H**

COMMONWEALTH OF PENNSYLVANIA  
Department of Corrections  
SCI-Cambridge Springs  
(814) 398-5400  
November 28, 2001

SUBJECT: Brian Pierce/ RHU Med Delivery

TO: File

FROM: Nancy A Giroux  
Nursing Supervisor

Meet with Mr. Pierce at 1400 on 8/28/01 regarding delivering medication up to the RHU pre-poured into cups over the weekend. The medications were Psych meds that he had actually crushed prior to his trip to the RHU.

Mr. Pierce stated that he did crush the meds in the med room and then transported them to the RHU in the appropriate bag. He stated that he only had one or two inmates that were requiring medication and that at Albion it is an acceptable practice to prepare the medication prior to going to the RHU. He also stated that at Albion that this issue had been resolved with Management, Pharmacy and the Union. As long as the person preparing the medication did not allow the medication out of their sight once they prepared it, and it remained in their sight until dispensed. He stated it was determined that it was not pre-pouring.

I spoke with the nursing supervisor regarding their technique of dispensing medications to the RHU under another pretext and she stated the same.

I reviewed SCI-CBS's procedure for delivering medications to the RHU with MR. Pierce. The nurse is to bring the bag to the RHU with the individual's blister pack and the MAR. They are to review the MAR and then dispense the medication to the inmate. They are not to prepare the medication in the med room. I stated that we have our system and that the BHCS agrees with our procedure on dispensing medication. That this had been an issue a few years back and this was how it was resolved between Management and the Union.

Mr. Pierce verbalized understanding and stated that he would abide by our policy. He voiced what the procedure was and agreed it would not happen again.

Will monitor.

NG/ng

*"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims."*

**EXHIBIT J**

COMMONWEALTH OF PENNSYLVANIA  
Department of Corrections  
SCI-Cambridge Springs  
(814) 398-5400  
November 20, 2001

SUBJECT: Written Reprimand

TO: Brian Pierce  
*Nancy A Giroux*  
FROM: Nancy A Giroux  
Nursing Supervisor

Mr. Pierce, it has been determined that you will receive a written reprimand for the incident that occurred on 10/15/01 involving Ms. Pietrzak.

Specifically relating to the altercation between Ms Pietrzak and yourself that occurred on 10/15/01 on the 2-10 shift during an emergency drill.

This is a violation of the Department of Corrections Code of Ethics, Section B, Number 10 which states 'Employees are expected to treat their peers, supervisors and the general public with respect and conduct themselves properly and professionally at all times; unacceptable conduct or insolence will not be tolerated.'

As we have discussed, in situations like this you should remove yourself from the general medical area to continue the conversation. It should not be conducted in a public area that can be overheard by other staff and inmates that can cause embarrassment to both parties involved. If the issue cannot be resolved between the two parties then the conversation should be terminated at that time by mutual agreement and continued/resolved with a mediator (supervisor) at a future time and date. You antagonized the situation by speaking in a loud tone, pointing your finger at Ms Pietrzak repeatedly when she requested you not to and making derogatory statements about her character. This situation was not handled in a professional manner as is expected of DOC employees.

You are advised that continuation of such unacceptable actions will result in further disciplinary action, which may include suspension and/or termination. This written reprimand will be placed in your Personnel file and can remain there for up to one year.

NG/ng

CC N Wirth Human Resource Director  
C. Massung CHCA  
Supervisor's File

*"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime*

**EXHIBIT K**

COMMONWEALTH OF PENNSYLVANIA  
Department of Corrections  
SCI-Cambridge Springs  
(814) 398-5400  
April 2, 2002

received 4/9

SUBJECT: Investigation of LPN Pierce

TO: J. Wilkes  
D.S.F.M

FROM:   
LT. Berk Bossard  
2-10 Shift Commander

On 3-11-2002, I spoke with CHCA Giroux. She reported to me that LPN Pierce had spoken to her earlier concerning his actions on 3-10-2002. He relayed to her that he had decided to run the medication line "by the book" due to Sgt Sittig questioning his procedures on 3-10-2002. Also Lt. Raun reported to me that Officer Phillips had told him during there ride home together on 3-10-02 that LPN Pierce wanted medication line run by the book. I reported this information to Captain Colvin and was directed by him to conduct an investigation. On 3-22-2002 I was directed by Captain Colvin to also investigate an incident that occurred on 3-20-2002 (6-2 shift) concerning LPN Pierce.

#### INVESTIGATIVE ACTION

I had CHCA Giroux, Lt. Raun and Officer Phillips complete a witness statement concerning their involvement (Attachment 1,2 and 3).

3-12-2002, I questioned Sgt Sittig and had her complete a witness statement form (Attachment 4).

On 3-10-2002 the medication line was completed at approximately 2025. Sgt Sittig (Training Sgt) called the building 3 Officer (COT Willey) and questioned if all the units had been called. COT Willey responded yes. Sgt Sittig questioned COT Willey if the medication had been pre-poured. COT Willey responded she didn't know.

3-25-2002, I questioned COT Willey and had her complete a witness statement form (Attachment 5).

Q. On 3-9-02 were you working in building 3?

A. Yes

*"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime victims."*

Q. Did you receive a call from Sgt Sittig inquiring as to why medication line went so quickly?

A. Yes

Q. Did she ask you if the medication was being pre-poured?

A. Yes, I told her I didn't know.

Q. Did you tell LPN Pierce about this conversation?

A. Yes, He explained pre-pouring to me.

3-26-2002 With union representation present I questioned LPN Pierce and had him write a witness statement (Attachment 6 and 7).

Q. On March 9, 2002 did COT Willey state to you that Sgt Sittig had inquired about medication line procedures?

A. Yes

Q. On March 10, 2002 did you have a conversation with Officer Phillips concerning running medication line "by the book" and calling one unit at a time?

A. Yes

Q. What time did you complete medication line on Sunday 3-10-02?

A. Approximately 2215

Q. What time did you complete medication line on Saturday and Monday?

A. 2025/2045

Q. Why was it so much latter on Sunday?

A. We ran it by the book a controlled environment.

Q. Did you purposely run the medication line slow to show Sgt Sittig?

A. No. Two days in a row Sgt Sittig questioned my procedures on closing so quickly so I decided to run it by the book.



Q. On 3-20-02 after you closed medication line three other inmates arrived late. Did you refuse to give them their prescribed medication?

A. Yes, medication line had been closed.

Q. Did nurse Eldred tell you that this was no fault of the inmates and they must receive them?

A. Yes, Under protest I gave the inmates their medication.

4-2-02 I interviewed RN Eldred and had her write witness statements for March 10 and 20 (Attachment 8 and 9).

Q. On March 10, 2002 you worked 2-10 shift with LPN Pierce. Did he make any comments to you about running the medication line "by the book"?

A. Yes, He said his integrity had been questioned for completed medication line so quickly the night before. He said, "I know how to take care of this. When my integrity and character is on the line I'll do what I have to do". He told Officer Phillips he wanted on the unit called at a time.

Q. As the RN on shift did you question this?

A. No, 2-10 is his normal shift. I told him I would get blamed for it running so slowly as I am normally on 6-2. I told him I thought he was wrong but allowed it to occur.

Q. On 3-20-02 (6-2 shift) after medication line closed did three inmates come in and LPN Pierce refused to give them their medication?

A. I called the unit officer the inmates were late for medication line due to no fault of their own. At a minimum of three times he refused to open the window. Each time I told him he had to do it. He finally complied. One of these inmates was on an anti-epileptic life-sustaining medication. He continued to state they came late fault doesn't matter.

### FINDINGS

On March 9, 2002 the medication line was completed at approximately 2025. Sgt Sittig called COT Willey to insure that all units had been called. While speaking to her she inquired if the nurses had pre-poured the medication. COT Willey did not know if they had or had not been. After the conversation with Sgt Sittig she relayed to LPN Pierce that Sgt Sittig had questioned if the medication had been pre-poured.

On March 10, 2002 RN Eldred worked overtime with LPN Pierce. He told her his integrity and character was on the line I'll do what I have to do. He then told the building 3 Officer he wanted one unit/floor at a time called. RN Eldred told LPN Pierce that he was wrong, she would get blamed for it, but she allowed it to continue. The medication line was not completed until approximately 2210.

On March 20, 2002 6-2 shift after the medication line was closed three inmates arrived for their medication. RN Eldred called the unit officer inquiring to their tardiness. She was told due to no fault of their own the inmates were late returning from the meal and reporting to the medication line. RN Eldred told LPN Pierce three times to give them their medication before he finally complied. One of these inmates is on an ant-epileptic life-sustaining medication. During this entire period he continue to state "They came late - fault doesn't matter".

### CONCLUSION

Sgt Sittig was acting within her duties to question the medication procedures. COT Willey relayed information to LPN Pierce that should not have been given. LPN Pierce took offense that Sgt Sittig questioning his procedures. On 3-10-2002, LPN decided upon his own to slow the medication line to prove a point to Sgt Sittig. He had Officer Phillips call units by single floors. RN Eldred knowing allowed him to do this, as it was his shift. Officer Phillips per Building 3 Post Orders page 4C "it is the officer's responsibility and duty to seek supervisory direction for clarification when doubt exists concerning procedures, situations, incidents, rules, regulations, directives or orders received" (Attachment 10) should have reported this irregularity, but waited until traveling home with Lt. Raun.

On March 20, 2002 LPN Pierce refused to give three inmates required medication as the medication line was closed. One of these inmates is on ant-epileptic life-sustaining medication. RN Eldred had to tell him 3 times to give them their required medication. During this investigation he stated "I gave it to them under protest".

RECOMMENDATIONS

Disciplinary action is warranted for LPN Pierce under The Department of Corrections Code of Ethics section A.

Consistent with the responsibilities of all correctional employees in the Commonwealth of Pennsylvania to perform their duties with integrity and impartiality and to avoid situations whereby bias, prejudice, or personal gain could influence official decisions.

Disciplinary action is warranted for RN Eldred and Officer Phillips.

B14. Employee will promptly report to their supervisor any information which comes to their attention and indicates violation of the law, rules, and/or regulations of the Department of Corrections by either an employee or an inmate.

Cc: Captain Colvin  
file

*"Our mission is to protect the public by confining persons committed to our custody in safe, secure facilities, and to provide opportunities for inmates to acquire the skills and values necessary to become productive law-abiding citizens; while respecting the rights of crime*



## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely, and without coercion for official Commonwealth business, and will be considered for all purposes, including actions under the Statutes of the Commonwealth, just as though it had been sworn of affirmed before a court of law or formal arbitration panel.

Mr Pierce stated on Sunday he decided to run the med line by the book. He states they had an outcount and he to call 2 units down after count cleared (on 3/10/02). I asked Pierce what he meant "by the book" and what did he do differently this time that he usually doesn't do, that would cause the med line to go over count. Pierce stated he signed out narcotics as he gave them and the inmates had to get out their ID's. When questioned regarding the policy of inmates showing ID's at the line he stated they do present their ID's. I stated to Mr Pierce that this doesn't sound like it should have extended the med line and that I had heard he had been upset about something said to him and had purposely slowed down the line. He stated that was not true. I then stated to Mr Pierce that it appeared that he did slow the line down on purpose. Pierce stated "that's perception, not mine". I was going by the book. Mr Pierce stated they called one unit down at a time I stated this not normally procedure at the 4th line, why would you do that. Pierce stated it was the one who decided to call down the units one at a time so that there would not be so many inmates in Medlock at one time. I asked Pierce several times regarding this issue - His response, I talked to the officer and it was the officers decisions. I asked if they had times when no one would be at one window or another and he stated yes, his line was busy at the beginning, it was busier at the end. Mr. Pierce made other statements such as I told the inmates when I went to RTH that it would be a long Med line, and the inmates were glaring at Ellie and he told them "It's me" implying that it was his fault the line was running late. Lastly he stated he checked to see if Sgt Citting was on duty that night. When asked if it made a difference, what if Citting was at Pierce stated, "the med line would have run as usual."

3/14/02  
Date

M. Munn  
Signature

Several times I stated to Mr. Pierce that by his statements it appears that he intention caused the Med line to run over count. He stated repeatedly that "your perception". I told him that he made statements to officers and that it will be the perception of the inmates that he ran the Med line over on purpose. for him to point again that would

Date

Typist's Signature

"be their perception" I ran it by the book. I asked Pierce why he didn't go to Bossard about Sat Night. He stated Sat it was busy and on Sunday I just decide to run the med line by the book, I had already decided what I was going to do.

3/14/02 M. Munn  
Note: This form is to be completed and signed by an employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

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On 3-10-02 while proceeding home from work officer Phillips informed me that nurse Peirce told officer Phillips while running medline the he wanted the units to be called down one floor at a time. He also stated that he didn't want a lot of inmates waiting in medline. On 3-11-02 nurse Peirce stated that he ran medline casually and by the Book. Medline did not clear until 2210 hrs.

DATE 3-13-02

SIGNATURE John A. Run

TYPISTS SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

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## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

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While serving as the Building 3 officer on 3-10  
I was told by nurse BRIAN PIERCE  
that he didn't want a lot of inmates  
at one time framed-line. I asked how he  
wanted them called. one unit some floor  
at a time? He said yes & don't call  
the next till the line was down to 10  
inmate's. He was going to run it by the  
book. I asked several times during med-l  
if it was being done like he wanted & he  
gave me a thumbs up signal. I was asked  
about how med-line was being run on 3-11-02  
by Lt. Rawn. I explained the above to him.

3-11-02

Date

C. P. Phillips

Signature

3-11-02

Date

J. A. Rawn

Typist's Signature

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## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

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On March 9, 2002 Med Line was closed at 2000 or Willey worked Bld 3 that Date. Being the area Supt, I found it very peculiar Med Line was closed so early. - It rarely closes before 2055 - So I called Cotwilly to ensure she had called all ~~med lines~~ <sup>units</sup> - The units to Med Line - She stated "yes" - I then asked who ran med line - She stated P. Gardner + L. N. Pierce - I then stated to Cotwilly "Did he crush or pre-four the medts - Her response was "I don't know" The next Day March 10, 2002, Med Line Ran until

3.11.02  
Date

Cotwilly (S. H. G.)  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Well after 2200hrs - L. N. Pierce + L. N. Gardner <sup>had</sup> ~~med line~~ <sup>med line</sup>

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4



## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

On March 9, 2002, while working in Bld. 3, med-line #4 went rather quickly. When med-line was over Sgt. Dittig called me and asked, "How did med-line get done so quick?" I responded, "I don't know, Brian is good at med-line." He then asked, "Did he (Nurse Pierce) pre-pour meds?" I said I didn't know. I later told Pierce and he defined pre-pouring meds as one would pour the meds and another would distribute them.

3-25-02  
Date

DM Willey COT  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Note: This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

ON MARCH 10, 2002 MEDICATION LINE WAS TERMINATED AT APPX. 2215. I had instructed OFFICER Phillips to call the housing units one at a time in order to provide for a safe, controlled and quiet environment. I told him that I wanted to run MEDICATION LINE "BY THE BOOK." NURSE ELDRED AGREED TO ALSO PARTICIPATE.

ON THE TWO (2) PRECEDING NIGHTS MEDICATION LINE RAN FROM 1930 UNTIL 2015 + 2025 RESPECTIVELY. ON THE FIRST OF THESE EVENINGS, THERE WERE 3 (THREE) NURSES RUNNING MEDICATION LINE - NURSE JAMIESON, NURSE HEFFERN, AND MYSELF. THE MEDICATION LINE RAN APPX. 42 MINUTES. THE FOLLOWING EVENING, NURSE BARONE AND I RAN MEDICATION LINE AND IT TOOK APPX. 50-55 MINUTES. THIS IS THE "NOR" LENGTH OF TIME FOR MEDICATION LINE #4 TO RUN, DEPENDING ON THE PERSONNEL RUNNING IT. (CONTINUED)

3-26-02  
Date

*[Signature]*  
Signature

                      
Date

                      
Signature

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1 of 3

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

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ON BOTH OF THESE OCCASIONS, THE WORD GOT BACK TO THE NURSES THAT THERE WAS SOME CONCERN AS TO HOW WE ACCOMPLISHED MEDICATION LINE SO QUICKLY SINCE ON A FEW PRECEDING NIGHTS THERE WERE OUTCOUNTS OF 50-70. SPECIFICALLY - ON SAT. MARCH 9<sup>TH</sup>, OFFICER WILLIE (FEMALE) RECEIVED A PHONE CALL FROM SGT. SITTIG IMMEDIATELY FOLLOWING MEDICATION LINE. SGT SITTIG HAD QUESTIONED HER AS TO IF THE NURSES HAD "PREPARED" THE MEDICATIONS OR FOLLOWED PROPER PROCEDURES FOR MEDICATION LINE. OFFICER WILLIE WAS VERY UPSET BY SGT SITTIG'S QUESTIONS, THAT I ASKED HER WHAT U LONG, AND SHE TOLD ME WHAT SGT. SITTIG HAD SAID.

(CONTINUED)

3/26/02

Date

*[Signature]*

Signature

Date

Signature

**Note:** This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

2 of 3

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

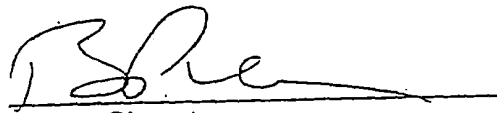
THERE HAVE BEEN AT LEAST 2 (TWO) TIMES IN THE LAST 6 (SIX) MONTHS THAT MEDICATION LINE HAS RUN PAST 10 PM (2200). THE LATEST WAS 2210, ON ONE OF THE FIRST WEEKENDS NURSE KING WORKED.

AT NO TIME WAS IT EVEN A CONSIDERATION TO "RETALIATE" AGAINST SGT. SITTS OR THE SECURITY STAFF IN GENERAL.

THIS CONCLUDES MY STATEMENT ABOUT THIS INCIDENT

3/25/02

Date



Signature

Date

Signature

**Note:** This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

383

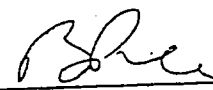
## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

ON MARCH 20, 2002, MEDICATION LINE WAS OFFICIALLY TERMINATED AND ANNOUNCED OVER THE RADIO BY CONTROL. APPX. 5-10 MINUTES LATER, I OPENED THE WINDOW TO ASK THE OFFICER A QUESTION, AND WAS SURPRISED TO SEE AN INMATE STANDING AT THE WINDOW. I ASKED THE INMATE WHY SHE WAS AT THE WINDOW, AND SHE SAID THAT SHE WANTED HER MEDICATIONS. I EXPLAINED TO HER THAT MEDICATION LINE HAD CLOSED SEVERAL MINUTES EARLIER, BUT SHE REFUSED TO LEAVE. DURING THIS TIME TWO(2) OTHER INMATES ARRIVED ALSO WANTING THEIR MEDICATIONS. I INSTRUCTED THE OFFICER TO HAVE THE INMATES LEAVE, AND I CLOSED THE WINDOW.

(CONTINUED)

3/26/02  
Date

  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Note: This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

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## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

THE MEDICATION LINE OPENED AT 1100 AM AND CLOSED AT 1230 PM. NURSE CHAPMAN AND I WERE IN CHARGE OF THAT LINE. FROM 1130 UNTIL ALMOST 1200, THERE HAD BEEN NO (0) INMATES AT THE WINDOWS. AND WE HAD SEEN ALMOST 60 (SIXTY) INMATES AT THAT TIME. AT APPX 1200 THERE WAS A GROUP OF INMATES THAT CAME DOWN, AND OVER THE COURSE OF THE NEXT 15 MINUTES, WE WERE "BUSY." AT APPX 1215, THE LAST INMATE LEFT AND WE DID NOT HAVE ANOTHER INMATE SHOW UP 1230. AT THAT POINT WE DECIDED TO CLOSE THE WINDOWS AND HAD THE OFFICER TERMINATE THE LINE. I DO NOT RECALL THE EXACT COUNT, BUT IT WAS CLOSE TO WHAT IS SEEN EVERY DAY. (CONTINUED)

3/26/02

Date

Signature

Date

Signature

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## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

AS STATED ON PG #1 OF THIS STATEMENT, IT WAS 5-10 MINUTES LATER THAT 1 (ONE) INMATE ARRIVED AT THE WINDOW, AND A FEW MINUTES LATER 2 (TWO) MORE ARRIVED.

I FINISHED SIGNING OFF MY MEDICATIONS (NARCOTICS) AND WENT OUT TO THE NURSES STATION, NURSE ELORED APPROACHED ME AND ASKED WHY THEY WERE INMATES WAITING FOR MEDICATION. I EXPLAINED IT TO HER - AS STATED BRIEFLY ABOVE - AND SHE TOLD ME THAT THE INMATES SAID THEIR UNIT WAS CALLED LAST TO LUNCH AND THAT WAS WHY THEY WERE LATE. I EXPLAINED HER THAT MEDICATION LINE HAD BEEN CLOSED FOR ALMOST 10 MINUTES BEFORE THEY ARRIVED AND THAT NONE OF THEM WERE ON MANDATORY OR "LIFE-SUSTAINING".

3/26/02  
Date

(CONTINUED)

[Signature]  
Signature

                      
Date

                      
Signature

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328 4

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

MEDICATIONS. SHE THEN DIRECTED ME TO OPEN THE MEDICATION LINE. I DID SO UNDER STATED PROTEST. OF THE 3 (THREE) INMATES I SERVED AT THE WINDOW, 2 (TWO) WERE ON NARCOTICS, AND THE OTHER ONE REFUSED HER MEDICATION BECAUSE I HAD CRUSHED IT AND PUT IT IN WATER - WHICH IS THE CURRENT POLICY FOR ALL MEDS -

UPON COMPLETION OF THAT DUTY, I NOTIFIED NURSE ELDRED OF THE ABOVE CIRCUMSTANCES, AND SHE GAVE A SHORT, DISBELIEVING LAUGH AND SAID SOMETHING TO THE EFFECT OF "UNBELIEVABLE".

THIS CONCLUDES MY STATEMENT ABOUT THIS INCIDENT.

3/26/12  
Date

[Signature]  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Note: This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

4 of 4



1 of 2

## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

On March 10 I worked with LPN Pierce. Prior to the No. 2 Medline, he told me that he had received a call from someone in Sleertry who questioned the derivation of his med line. The prior evening. He said "I know how to take care of this. When my integrity & character is on the line I'll do what I have to do". He explained that he felt he was being accused of prepoising med. Prior to the Medline he told the Alliance officer to call the housing units one at a time.

4/2/02

Date

Marie Eldred

Signature

Date

Signature

Note: This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.

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## COMMONWEALTH EMPLOYEE WITNESS STATEMENT

The following statement is being given by me freely and without coercion for official Commonwealth business and will be considered for all purposes, including actions under the Statutes of this Commonwealth, just as though it had been sworn or affirmed before a court of law or formal arbitration panel.

The officer completed and Med Line was called in the requested manner. We did not finish the line until approximately 2210.

4/2/02

Date \_\_\_\_\_

Marie Eldred

Signature

Date \_\_\_\_\_

Signature

**Note:** This form is to be completed and signed by the employee who is a witness to an incident involving employees of the Commonwealth. If the text is typed by someone other than the employee giving the statement, it must be read and signed by the employee. In the event the statement is typed, the party typing the statement must sign and date the document.